

Exhibit 3

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- (1) February '07?
- (2) **A.** No. It was very soon after I went out
- (3) on leave. It was probably that next week.
- (4) **Q.** Okay. What did Mary – well, how did
- (5) Ms. Creedon and yourself handle the
- (6) discrimination complaints?
- (7) **A.** I was not here when Mary moved it onto
- (8) that step. I came back the day we got the
- (9) results of it.
- (10) **Q.** Okay. So after you went – obviously
- (11) when you went out, Mary took over the issue?
- (12) **A.** Mm-hmm. Actually, as soon as she came
- (13) back. So, it was kind of like we were both
- (14) doing it when she first came back.
- (15) **Q.** It sounds like the extent of your
- (16) involvement after Mary got back was, maybe,
- (17) this one meeting with Mr. Jackson?
- (18) **A.** It was very limited.
- (19) **Q.** All right. Well, tell me what you
- (20) recall your contact with Mr. Jackson being
- (21) after this February meeting.
- (22) **A.** So after the February meeting, it would
- (23) have been when Mary – I think Gregg and Ian
- (24) were on the phone – and this was probably my

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- (1) first day back, was telling him the result of
- (2) the investigation.
- (3) **Q.** Okay. You think that was your first day
- (4) back after maternity leave?
- (5) **A.** Yeah. I believe it was the first day.
- (6) **Q.** Well, where were you during this
- (7) conversation; are you in your office or someone
- (8) else's office?
- (9) **A.** Mary's office. And Tony came in as
- (10) well.
- (11) **Q.** So in the office with you was Mary and
- (12) Tony?
- (13) **A.** Yes.
- (14) **Q.** Okay. And you mentioned Ian; was Ian on
- (15) the phone?
- (16) **A.** I believe Gregg was. I think Ian was as
- (17) well.
- (18) **Q.** Who was the one speaking? What was the
- (19) purpose of this discussion with Tony?
- (20) **A.** Gregg was going to give him the results
- (21) of the investigation, and then we were going to
- (22) talk about next steps.
- (23) **Q.** Okay. What did Gregg say to Tony?
- (24) **A.** That they found the reasons for

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- (1) performance management were valid –
- (2) **MS. KRAUSE:** Let me just make an
- (3) objection if there's any kind of
- (4) privilege to the extent that legal
- (5) advice from Ian was sought during the
- (6) phone conversation.
- (7) You can answer the question
- (8) if –
- (9) **MR. SCHEFFER:** Well, Tony was
- (10) present.
- (11) **MS. KRAUSE:** That's true.
- (12) Actually, never mind. Objection
- (13) withdrawn.
- (14) **THE WITNESS:** He told him that
- (15) he found the reasons for performance
- (16) management were valid, and that they
- (17) found no reason to believe that was
- (18) discrimination.
- (19) **BY MR. SCHEFFER:**
- (20) **Q.** How did Tony react?
- (21) **A.** I would say little emotion.
- (22) **Q.** Okay. Do you recall him saying
- (23) anything?
- (24) **A.** He probably thanked Gregg for his work.

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- (1) He was always very polite in that way.
- (2) **Q.** Okay. Other than that, do you recall
- (3) him saying anything?
- (4) **A.** Not after Gregg gave his information,
- (5) no.
- (6) **Q.** Okay. Do you recall Tony doing anything
- (7) out of the ordinary?
- (8) **A.** After Gregg gave his information?
- (9) **Q.** Yeah.
- (10) **A.** I don't recall anything.
- (11) **Q.** How about at any time during the meeting
- (12) or discussion?
- (13) **A.** No.
- (14) **Q.** Okay. I believe that meeting
- (15) occurred – well, did you take any notes of
- (16) that conversation?
- (17) **A.** Mary had the notes.
- (18) **Q.** Mary had the notes?
- (19) **A.** Mm-hmm.
- (20) **Q.** And if you look at P-5 again, there's a
- (21) document stamped PLA271. Taking a look at
- (22) that, would that reflect Mary's – would that
- (23) reflect the discussion you had with Mr.
- (24) Jackson?

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- (1) into the website activity further.
- (2) **Q.** And did you speak to him in person about
- (3) that?
- (4) **A.** We couldn't get in touch with him, so we
- (5) left him a voice mail, and then he called us
- (6) back almost immediately.
- (7) **Q.** Was he working at that time?
- (8) **A.** No.
- (9) **Q.** So you said you left a message for him
- (10) at home?
- (11) **A.** Yes.
- (12) **Q.** Okay. Between your discussion with Tony
- (13) at work about him declining the position and
- (14) you calling Tony at home, and leaving a message
- (15) about being on a leave of absence because of
- (16) website activity, what happened? Someone came
- (17) to you to talk about Tony, correct?
- (18) **A.** Yes.
- (19) **Q.** And who was that?
- (20) **A.** It was Christie Vasquez.
- (21) **Q.** What time of day did Christie come to
- (22) you to talk about Tony?
- (23) **A.** It was the afternoon. It was probably
- (24) 2:30, three o'clock, somewhere around there.

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- (1) **Q.** Did you make any notes of this
- (2) discussion with Christie?
- (3) **A.** I think there were typed notes just
- (4) saying - we had talked about a written
- (5) warning, so I think the notes would have just
- (6) said that at the end of the conversation, she
- (7) mentioned that she had seen him on the
- (8) website.
- (9) **Q.** Now, when you say typed notes, you typed
- (10) notes about your conversation?
- (11) **A.** Afterwards, yeah.
- (12) **Q.** Okay. What happened to those notes?
- (13) What did you do with them?
- (14) **A.** They're in the Tony file.
- (15) **MR. SCHEFFER:** Let's go off the
- (16) record a minute.
- (17) (Discussion held off the record.)
- (18) **MR. SCHEFFER:** We can go back on
- (19) the record.
- (20) **BY MR. SCHEFFER:**
- (21) **Q.** Can you describe these notes for me,
- (22) Jamie. I mean, you said you typed them up
- (23) you?
- (24) **A.** Yes.

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- (1) **Q.** Okay. And describe for me or tell me
- (2) about the contents of the notes.
- (3) **A.** I think that was just a brief thing
- (4) where Christie and I had met to talk about the
- (5) written warning, and then at the end of the
- (6) conversation, she mentioned that she had seen
- (7) him on the websites.
- (8) **Q.** Okay. And these are notes that you
- (9) prepared?
- (10) **A.** Yes.
- (11) **Q.** Okay. And did you put them in his file,
- (12) Mr. Jackson's file?
- (13) **A.** Yes.
- (14) **Q.** Okay.
- (15) **A.** In his employee relations file, not his
- (16) personnel file.
- (17) **Q.** Okay. Tell me what Christie said. You
- (18) said it was about 2:30, 3:00 in the afternoon.
- (19) Was this a scheduled meeting with Christie,
- (20) because you mentioned the final written
- (21) warning?
- (22) **A.** I don't know if it was the final. She
- (23) called me that afternoon and said she needed to
- (24) go over it. I don't think it was scheduled.

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- (1) I'm pretty sure it wasn't scheduled.
- (2) **Q.** And did Christie have documents for
- (3) you to look at regarding this written
- (4) warning?
- (5) **A.** Mm-hmm.
- (6) **Q.** I'm sorry. "Yes?"
- (7) **A.** Yes.
- (8) **Q.** When Christie called you in the
- (9) afternoon to schedule this meeting with you,
- (10) did she indicate she had any concerns about
- (11) Tony about any safety issues, any website
- (12) issues?
- (13) **A.** Well, at the end of the meeting, she
- (14) mentioned -
- (15) **Q.** No. I'm talking about when she called
- (16) you to schedule the meeting.
- (17) **A.** No.
- (18) **Q.** She didn't indicate she had concerns or
- (19) had any safety issues, or concerns about her
- (20) safety during that phone conversation?
- (21) **A.** No. It was probably just a phone
- (22) conversation, like, Can I stop over. It wasn't
- (23) anything longer than that really.
- (24) **Q.** So that was sometime before 2:30,

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- (1) **A.** Probably the last time I looked at his
 (2) folder. A couple of weeks, probably.
 (3) **Q.** Okay. Now, when Christie met with you
 (4) to discuss the warning when she met with you
 (5) that afternoon, the first thing she discussed
 (6) with you was that performance issue regarding
 (7) Tony?
 (8) **A.** Mm-hmm.
 (9) **Q.** "Yes?" I'm sorry.
 (10) **A.** Yes.
 (11) **Q.** At the end of the meeting, I think she
 (12) mentioned Tony visiting gun sites?
 (13) **A.** Yes.
 (14) **Q.** What did she say exactly?
 (15) **A.** At the end of the meeting, she said, "I
 (16) don't even know if I should bring this to your
 (17) attention, but I noticed Tony was on websites
 (18) today."
 (19) **Q.** And what did you say?
 (20) **A.** I asked her if that concerned her.
 (21) **Q.** And what did she say?
 (22) **A.** She expressed concern for herself, but
 (23) I would say more so for Steve than for
 (24) herself.

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- (1) **Q.** Well, what did she say?
 (2) **A.** When I asked her if it concerned her,
 (3) she said yes, but she also said she was more
 (4) concerned for Steve.
 (5) **Q.** Did she say how it concerned her?
 (6) **A.** She did mention how Tony seems to be
 (7) blaming Steve for a lot of the performance
 (8) management.
 (9) **Q.** Did she mention anything about the
 (10) contents of the website?
 (11) **A.** Just guns; she said she saw pictures of
 (12) guns.
 (13) **Q.** Okay.
 (14) **A.** She said she was concerned. She said
 (15) there was concern for Steve.
 (16) **Q.** Did she say she was scared in any way?
 (17) **A.** I don't know if I specifically asked her
 (18) if she was scared.
 (19) **Q.** I'm asking if she said she was scared
 (20) when she said she had concerns, and just leave
 (21) it at that.
 (22) **A.** I don't remember specifically her saying
 (23) she was scared.
 (24) **Q.** Okay. And what did you say to her after

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- (1) she told you that?
 (2) **A.** I told her she did the right thing by
 (3) letting me know, and that I would look into
 (4) it.
 (5) **Q.** Okay. And what did you do to look into
 (6) it?
 (7) **A.** I called the person at IT that needs to
 (8) run the report on IT activity.
 (9) **Q.** Okay. Who was that?
 (10) **A.** Matt Szoke; S-z-o-k-e.
 (11) **Q.** And what did you say to him?
 (12) **A.** I asked him to run website activity for
 (13) Tony for that day.
 (14) **Q.** Did Matt ask you why or question that at
 (15) all?
 (16) **A.** He knows not to. He is our security
 (17) person at IT, and if he know is needs to run me
 (18) a report, he knows he just needs to run me a
 (19) report.
 (20) **Q.** Did Matt get back to you?
 (21) **A.** Within, probably, half an hour to an
 (22) hour. Yes.
 (23) **Q.** What did he say?
 (24) **A.** He sent me the report. He knows not to

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- (1) get involved.
 (2) **Q.** Okay. Tell me about the report; how
 (3) long was it?
 (4) **A.** A few pages. It was an Excel file.
 (5) **Q.** Excel file?
 (6) **A.** Mm-hmm.
 (7) **Q.** Let me show you a document previously
 (8) marked as P-8, Ms. Davis. Is that the document
 (9) Matt Szoke gave you?
 (10) **A.** It looks like it could be.
 (11) **Q.** It looks similar to that?
 (12) **A.** Yes.
 (13) **Q.** Okay. All right. What did you do
 (14) after you got that information from Mr.
 (15) Szoke?
 (16) **A.** I checked out a few of the websites.
 (17) **Q.** Okay.
 (18) **A.** And as soon as I felt like I was
 (19) concerned about this, I called Ian to get his
 (20) advice.
 (21) **Q.** What did Ian say?
 (22) **MS. KRAUSE:** Objection.
 (23) Attorney/client privilege.
 (24) **BY MR. SCHEFFER:**

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- (1) the facility, and that Tracy and I would be
 (2) his contacts if he needed anything in the
 (3) meantime.
 (4) **Q.** Okay. So Tony called you back after
 (5) getting your message?
 (6) **A.** Yes.
 (7) **Q.** All right. And when he called you back,
 (8) were you alone, or were you with Tracy?
 (9) **A.** Tracy was still there. She wasn't going
 (10) to leave me there by myself, because it was
 (11) getting later.
 (12) **Q.** When you talked to Tony, was it on
 (13) speakerphone, or just you and Tony, you know,
 (14) on the handle?
 (15) **A.** I'm pretty sure it was on speakerphone.
 (16) **Q.** So you think Tracy might have heard what
 (17) Tony said?
 (18) **A.** Probably. Yeah.
 (19) **Q.** What did Tony say when he called you
 (20) after you told him that?
 (21) **A.** I think he was surprised. I think he
 (22) just said okay. I don't think there was any
 (23) much to that conversation.
 (24) **Q.** He didn't get angry or didn't yell at

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- (1) you or anything?
 (2) **A.** No.
 (3) **Q.** Did you talk to anybody else that day
 (4) about the situation? I know you said you spoke
 (5) to Kevin a couple of times, had a conversation
 (6) with Ian and Gregg. Did you speak to anybody
 (7) else?
 (8) **A.** We had to contact Alan Hoyt, who's the
 (9) head of IT, so we could have his building
 (10) access shut off and his computer access.
 (11) **Q.** Okay. What did you tell Mr. Hoyt?
 (12) **A.** I told him that Tony would be on a leave
 (13) of absence.
 (14) **Q.** Did you say why?
 (15) **A.** He knew why because he managed -
 (16) Christie's reports to Steve, and Steve
 (17) reports to Alan. So he knew that he seen on
 (18) websites that day, and that we were looking
 (19) into it.
 (20) **Q.** Did he say how he knew that? I mean, do
 (21) you know if anyone had told him before you
 (22) talked to Alan?
 (23) **A.** I think Steve might have.
 (24) **Q.** And at this point when you talked to

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- (1) Alan, you had not spoken to Mr. Olshevski
 (2) yourself?
 (3) **A.** I don't think I talked to Steve until
 (4) after I talked to Alan.
 (5) **Q.** Okay. What do you recall Alan saying
 (6) during that conversation?
 (7) **A.** Just that he would get in touch with the
 (8) people that needed to do it. That was probably
 (9) about it.
 (10) **Q.** When you had that first meeting with
 (11) Christie where you're discussing Tony's
 (12) performance and written warning, how was it
 (13) left off regarding the warnings with Christie?
 (14) Was it okay to give them to Tony?
 (15) **A.** I think she was going to go make
 (16) changes, and we were going to meet again
 (17) because they weren't final. They definitely
 (18) weren't final.
 (19) **Q.** Okay. Do you recall anything else about
 (20) your initial conversation with Christie that
 (21) you haven't already told me today?
 (22) **A.** Not that I can think of.
 (23) **Q.** Okay. After you talked to Alan, did you
 (24) talk to anybody else that evening about the

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- (1) Tony Jackson situation?
 (2) **A.** I did talk to Mary and just let her know
 (3) that we put him on a leave of absence, but she
 (4) was in Ireland, so there wasn't much she could
 (5) do; and Peg Lesiak who is, or at that point
 (6) was, my Hartford boss, so Mary reported to
 (7) Peg.
 (8) **Q.** How do you spell her last name spell?
 (9) **A.** L-e-s-i-a-k, I believe.
 (10) **Q.** And what did you tell Peg?
 (11) **A.** We wanted to make sure she was in the
 (12) loop that we had a situation today and that he
 (13) was being put on a leave of absence, and she
 (14) would be informed once we had a chance to
 (15) follow-up with Ian and everybody the next
 (16) day.
 (17) **Q.** Okay.
 (18) **A.** Once we hit the next step, it's kind of
 (19) defined, because I wouldn't say that night we
 (20) definitely had the next step defined.
 (21) **Q.** Was that the last phone call you made
 (22) regarding that issue on that day?
 (23) **A.** My last call was probably to Kevin just
 (24) to let him know I was going home, but that

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- (1) was – Peg was one of the last ones.
 (2) **Q.** When you called Kevin, was he at work
 (3) that day?
 (4) **A.** That day?
 (5) **Q.** Yeah.
 (6) **A.** I don't know if he was here that day.
 (7) It was already after hours when we were dealing
 (8) with a lot of this, so it was on his cell phone
 (9) we were calling.
 (10) **Q.** Okay. Do you know if he was at work or
 (11) if he was on vacation? Do you know if he was
 (12) here that week?
 (13) **A.** I really don't remember. It was my
 (14) first week back. I was buried.
 (15) **Q.** Okay. Did you ever have any
 (16) face-to-face meetings with Kevin that week that
 (17) Tony was suspended?
 (18) **A.** I can't remember if it was that week. I
 (19) know the day we did make a decision to
 (20) terminate, Kevin and I had a meeting, and I
 (21) can't remember if it was that week or if it was
 (22) the next week. It was within a few days. It
 (23) was probably that week.
 (24) **Q.** So the day you made a decision to

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- (1) terminate Tony, Kevin was actually present?
 (2) **A.** Mm-hmm.
 (3) **Q.** Okay. Who else was present?
 (4) **A.** Me and Kevin in his office, and Ian was
 (5) on the phone.
 (6) **Q.** Okay. All right. So have you, pretty
 (7) much, talked about every discussion you had
 (8) or every person you contacted the day you
 (9) found out that Tony was visiting the
 (10) websites?
 (11) **A.** I think so.
 (12) **Q.** Okay. Tell me what happened the next
 (13) day?
 (14) **A.** The next day –
 (15) **Q.** Let me back up.
 (16) Before we get to that, had you
 (17) talked to Christie after she told you that Tony
 (18) was visiting gun sites? Did you talk to her
 (19) about whether she had seen him visit gun sites
 (20) before that occasion?
 (21) **A.** No.
 (22) **Q.** Okay.
 (23) **A.** I did talk to Christie that night
 (24) before, though, to – I let her and Steve both

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- (1) know they did not have to come into work the
 (2) next day if they did not want to, that they
 (3) could work from home.
 (4) **Q.** So you did talk to Steve that day?
 (5) **A.** Yes.
 (6) **Q.** All right.
 (7) **A.** Steve actually expressed concern. He
 (8) said that he had already warned his children
 (9) about strangers around the house because of the
 (10) situation with him.
 (11) **Q.** Okay. Did Steve tell you how he found
 (12) out about it?
 (13) **A.** About?
 (14) **Q.** About Tony, about the issue?
 (15) **A.** The websites?
 (16) **Q.** Yeah.
 (17) **A.** I don't remember him telling me. I'm
 (18) sure Christie told him that she had told me
 (19) about it, so that probably happened before the
 (20) end of the day.
 (21) **Q.** All right. Did you ask Christie if she
 (22) had told anybody else about it when you met
 (23) with her the first time that day?
 (24) **A.** No.

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- (1) **Q.** All right. Anybody else you remember
 (2) speaking to that day?
 (3) **A.** No.
 (4) **Q.** Okay. You mentioned that you spoke to
 (5) Kevin on the phone about security coming to
 (6) PLANCO?
 (7) **A.** Mm-hmm.
 (8) **Q.** Kevin authorized it, I believe you
 (9) said?
 (10) **A.** Yes.
 (11) **Q.** Did you actually call somebody for
 (12) security, or did somebody else do that?
 (13) **A.** I did.
 (14) **Q.** You did. Who did you contact?
 (15) **A.** First I tried to contact Liberty to see
 (16) who they would recommend; that's our person
 (17) here. And when I didn't get any call back from
 (18) them, because I needed to get it set up, it was
 (19) recommended that I call two different township
 (20) police.
 (21) **Q.** Did you do that?
 (22) **A.** Yup.
 (23) **Q.** And what did the police say?
 (24) **A.** They said they'd have a plain clothed